

No. 1262-4-Lab-74/6858.— In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak in respect of the dispute between the workman and the management of M/s Beas Engineering Co. (P) Ltd., Sonapat.

BEFORE SHRI O. P. SHARMA, JES D N C OFFICER, LABOUR COURT, HARYANA,  
ROHTAK

Reference No. 43 of 1973

between

SHRI RAI SINGH AND THE MANAGEMENT OF M/S BEAS ENGINEERING CO. (P)  
LTD., SONEPAT

Present s —

Shri Surinder Kaushal for the management.

Nemo for the workman.

### AWARD

Shri Rai Singh concerned workman was in the service of M/s Beas Engineering Co. (P) Ltd., Sonapat as a un-skilled worker. The management terminated his services with effect from 13th February, 1973 alleged on the ground that he had been absented from duty for a considerable period without any proper authorisation. Feeling aggrieved by this order he raised a demand for reinstatement but without any satisfactory response from the management. This gave rise to an industrial dispute.

On 5th March, 1973 he gave the demand notice which forms part of the present reference whereupon conciliation proceedings were started which also ended in failure.

On receipt of the failure report from the conciliation officer the Governor of Haryana referred the dispute for adjudication to this court, *vide* Order No. ID/PK/183-F-73/31666, -70, dated 4th July, 1973, in exercise of the powers conferred by clause (c) of sub-section (i) of Section 10 of the Industrial Disputes Act, 1947, with the following term of reference :—

“Whether the termination of services of Shri Rai Singh was justified and in order? If not, to what relief is he entitled?”

The parties were called upon to put in their respective written statements. The workman concerned has not appeared in person or through authorised representative nor has he filed any statement of claim in spite of the fact that the case has been adjourned for several times, for this purpose. The management, on the other hand, has pleaded settlement, *vide* terms and conditions given in the memorandum of settlement, dated 9th August 1973 Ex. M. 1. on record whereby a sum of Rs 600 found due to the workman as per mutual calculations has been paid to him *vide* receipt Ex. M. 2. Shri Surinder Kaushal authorised representative of the management has made a statement on oath to prove the above documents in support of the plea of settlement raised on behalf of the management. I see no reason to disbelieve the plea especially when the workman is not coming forward himself or through any authorised representative to pursue his claim.

Taking into consideration the facts stated above, the issue involved is decided against the workman and the award is made accordingly. In terms of the settlement holding that the workman is not entitled to any other relief. There shall be no order as to costs.

Dated, the 21st January, 1974.

O. P. SHARMA,  
Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

Endst. No. 209, dated the 31st January, 1974.

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

O. P. SHARMA,  
Presiding Officer,  
Labour Court, Haryana,  
Rohtak.